

United States District Court
Northern District of California

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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

**LIGHTHOUSE FOR THE BLIND AND
VISUALLY IMPAIRED D/B/A HANOVER
INSURANCE COMPANY,**

Plaintiff,

VS.

NOVA CASUALTY CO., ET AL.,

Defendants.

CASE No. 20-cv-09445-YGR

ORDER GRANTING MOTION TO REMAND AND DENYING MOTION TO DISMISS AS MOOT

Re: Dkt. Nos. 9, 11

12 On November 4, 2020, plaintiff filed this action in Napa County Superior Court.
13 Defendant Nova Casualty Company d/b/a Hanover Insurance Group (“Nova”) removed the case to
14 federal court on December 30, 2020. (Dkt. No. 1.) On January 6, 2021, defendants Nova,
15 Anthony DeCesare, and Steven Koski filed a motion to dismiss DeCesare and Koski from this
16 action under Federal Rule 12(b)(6). (Dkt. No. 9.) On January 20, 2021, plaintiff filed a Motion to
17 Remand based on the lack of complete diversity. (Dkt. No. 11.) Having carefully considered the
18 briefing and arguments submitted on the motion, and for the reasons stated on the record at the
19 March 2, 2021 hearing, the Court **GRANTS** plaintiff’s Motion to Remand and **DENIES AS MOOT**
20 defendants’ Motion to Dismiss. Defendants “ha[ve] not demonstrated that there is no possibility
21 that [p]laintiff[] could [state a negligent misrepresentation claim] against [Koski].” *See*
22 *GranCare, LLC v. Thrower*, 889 F.3d 543, 551 (9th Cir. 2018).

23 The Clerk of the Court is directed to **REMAND** the case to the Napa County Superior Court
24 and close the file.

25 IT IS SO ORDERED.

27 Dated: March 9, 2021


YVONNE GONZALEZ ROGERS
UNITED STATES DISTRICT COURT JUDGE